

REMARKS

The Abstract has been amended to make it clearer and to more accurately reflect the claims. No new matter has been added. While indicia are permitted within an
5 Abstract (and encouraged in the international setting), they have been removed to simplify the prosecution of this matter.

Claims 1-3 were rejected under 35 USC 103 as being unpatentable over JP 09-265731 to Ozawa et al., EP 0762417A2 to Sako et al., and US patent 6,571,211 to Dwyer et al. These rejections are traversed. The cited references, alone or in combination, do
10 not teach or suggest an "expansion section which decompresses compressed digital audio data stored in said RAM *based on attribution data...*", as required by the present claims.

Claims 4 and 5 were rejected over 35 USC 103 as being unpatentable in view of Ozawa et al. and Sako et al in combination with US patent 6,263,313 to Milsted et al. It is suggested that Dwyer et al. was accidentally omitted from this rejection, since claims 4
15 and 5 are dependent upon claim 1, and Milsted et al. does not teach data compression. These rejections are traversed by the arguments relating to claim 1.

Claim 6 was rejected under 35 USC 103 as being unpatentable in view of Ozawa et al., Sako et al., Dwyer et al., and Milsted et al., in combination with US patent 6,240,185 to Van Wie et al. This rejection is also traversed by the arguments relating to
20 claim 1.

The present invention provides the great advantage of allowing many different types of compression techniques to be utilized in an audio recorder. This is an advantage in many instances because it allows for broader compatibility with other devices and file types. Also, it allows a compression technique to be selected in accordance with its
25 particular advantages in a given situation. In the present invention, the compressed data has associated attribution data that specifies the kind of decompression technique to be used with a specific file. The expansion section of the present invention decompresses the data according to the attribution data. This allows the present invention to be used with many different kinds of data compression techniques.

30 Dwyer et al., by comparison, teach an audio data file with a header that specifies the type of data compression employed, but without any structure, instructions or circuit

that allows an expansion section to decompress data *based on the indicated type of compression*. The Examiner identified col. 9, lines 37-43 of Dwyer et al. as teaching an expansion section that decompresses digital audio *based on attribution data*. This is erroneous because this passage of Dwyer et al. actually teaches something very different:

5 that the user can select between different kinds of header formats. Selecting a header format has very little to do with selecting a decompression type based on attribution data. Wholly absent from Dwyer et al is any suggestion to use header data indicating a type of compression in the expansion section, and thereby obtain the benefits of the present invention (such as increased compatibility with multiple kinds of compression
10 techniques). Hence, the combination proposed by the Examiner does not meet the present claims, and therefore the rejections must be withdrawn.

It is noted that Ozawa et al. also do not teach or suggest an expansion section that decompresses the digital audio *based on attribution data*. As correctly noted in the Office Action, Ozawa et al. only teach a predetermined type or decompression, and therefore
15 Ozawa et al. is very different from the present invention.

Also, contrary to the Examiner's statements, Sako et al. does not teach storing of "attribution data" as defined in the present specification. Attribution data in the present invention is defined as data that indicates the type of compression used to compress digital data (see page 11, lines 4-7, and claim 1, line 10). Sako et al. only teaches an
20 identification signal, which is used to authenticate digital data files. Sako et al. therefore do not teach 'attribution data'.

Sako et al. does teach an expansion section, but is silent with regard to how to select the decompression technique employed in the expansion section. Sako et al. do not teach any particular method for determining the type of decompression to be used. Sako
25 et al. does not teach or suggest that the identification signal (akin to the 'attribution data' according to the Examiner) or any other data can be used to determine the type of decompression technique used in the expansion section. It is not at all clear how the identification signal of Sako et al. could be used as attribution data is used in the present invention. This is because the identification signal of Sako et al. is taught as indicating
30 whether the data is original or copied data. As acknowledged by the Examiner, the 'identification signal' of Sako et al. "does not convey a compression method". Hence it

cannot properly be argued that the identification signal of Sako et al. could be used to determine the type of compression used.

Ozawa et al. or Sako et al. cannot compensate for the deficiencies of Dwyer et al. This is because Sako et al. and Ozawa et al. lack any teaching or suggestion to select the
5 decompression technique according to attribution data. None of the references teach, either alone or in combination, using attribution data to determine the type of decompression employed in the expansion section. Accordingly, no conceivable combination of the cited references can meet or suggest the recited features of claim 1.

10 In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1-6 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

15 A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees for the petition or for entry of this amendment to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson P.C.).

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Respectfully submitted,



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